



539472

AFFIDAVIT OF SERVICE*Fogel + Wachs*COURT: UNITED STATES DISTRICT COURT
COUNTY: SOUTHERN

INDEX NO: 4842/07

EPS NO: 524636

ARTISTRY FABRICS, INC., D/B/A HAMIL TEXTILES

Plaintiff(s)

- vs. -

THE CATO CORPORATION, CATO STORES, INC., DAGIA'S INC D/B/A
RED HOT

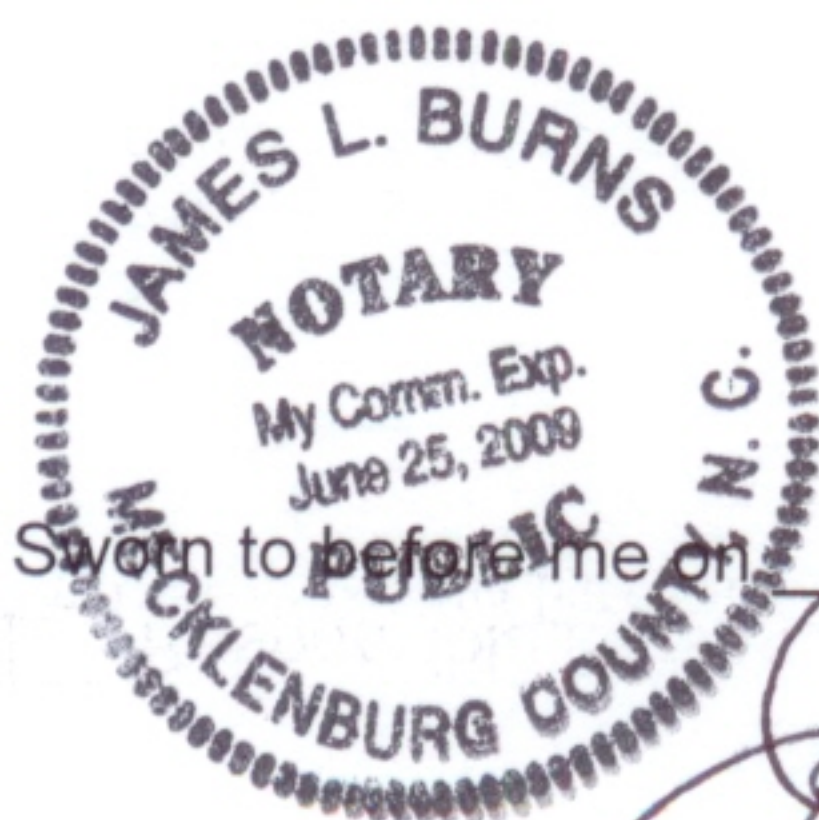
Defendant(s)

State of NORTH CAROLINA, County of MECKLENBURG ss.: JOSEPH S. HENRYbeing duly sworn, deposes and says that deponent is over 18 years of age and not a party to this action; that on, July 24, 2007 at approximately 3:40 PM at 8100 DENMARK ROAD, CHARLOTTE, NC 28273-5979 deponent served the SUMMONS & COMPLAINT IN A CIVIL ACTION annexed on CATO STORES in the following manner:

- ☐ Individual By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the described therein.
- ☒ Corporation By delivering to and leaving with MELANIE HOPPER who stated ☐ he ☒ she was authorized to accept on behalf of said corporation.
- ☐ Responsible Person By delivering to and leaving with _____ a true copy thereof, a person of suitable age and discretion. Said premises being the recipients [] dwelling place [] usual place of abode [] place of business within the State of New York.
- ☐ Affixing to Door By affixing a true copy thereof to the door of said premises, which is recipients [] dwelling place [] usual place of abode [] place of business within the State of New York. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called thereon:
- ☐ Mail A true copy thereof was also deposited on _____ in a postpaid, properly addressed envelope, to the above address, bearing the legend "Personal and Confidential", in an official depository under the exclusive care and custody of the United States Postal Service.

- ☐ Description
- | | | | | | |
|--|--|--|--|---|--|
| <input type="checkbox"/> Male | <input type="checkbox"/> White Skin | <input checked="" type="checkbox"/> Black Hair | <input type="checkbox"/> 14-20 Yrs. | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs. |
| <input checked="" type="checkbox"/> Female | <input checked="" type="checkbox"/> Black Skin | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> 21-35 Yrs. | <input type="checkbox"/> 5'0"-5'3" | <input checked="" type="checkbox"/> 100-130 Lbs. |
| | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blond Hair | <input checked="" type="checkbox"/> 36-50 Yrs. | <input checked="" type="checkbox"/> 5'4"-5'8" | <input type="checkbox"/> 131-160 Lbs. |
| | <input type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> 51-65 Yrs. | <input type="checkbox"/> 5'9"-6'0" | <input type="checkbox"/> 161-200 Lbs. |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Red Hair | <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs. |

To my best knowledge, information and belief the said defendant at the time of service was not engaged in military service of the United States. At time of service the index number and date of filing were on the **SUMMONS & COMPLAINT IN A CIVIL ACTION**



Sworn to before me on

7/25/07*James L. Burns*

Server

Joseph S. Henry

NP